

Election to the College Advisory Committee.

Mr. President.—It is proposed to elect one of the members of this House to the Maharaja's College Advisory Committee and the election will be held on Thursday at 5 p. m. Nomination papers for the same should reach the Legislative Council Secretary before 5 p. m. on Wednesday the 1st December 1937.

The Cochin Tenancy Bill.

Mr. President.—The House will now resume consideration of the Cochin Tenancy Bill.

Mr. Thomas Manjuran (*Government Advocate and Law Officer*).—“Delete the renumbered section 54 of the Bill.”

Sir, section 54 of our Bill is the same as section 52 of the Bill as passed by this Council. That section lays down a certain procedure to be adopted in determining the ratio of the respective interests of the landlord and the tenant. Now it is obvious that it is impossible practically to give an exhaustive method. The Government consider that the method that has been prescribed in this section is not quite adequate enough. Government are also aware that no practical difficulty is likely to arise in view of the consistent and longstanding practice followed by the Chief Court and the other courts in the land with regard to the determination of the ratio in which value of improvements should be given to the tenant and the jenmy. Well-known decisions as reported in 12 Cochin 237 and 27 Cochin 433 and others have fixed a certain proportion and have fixed a *modus operandi* to be adopted and followed in cases like this. Government think it will be much better and safer to leave things as they are rather than incorporate it in the Act. It is a provision which if passed should not be considered to be unsatisfactory. Hence the provision contained in section 52 may be deleted.

Mr. K. P. Kannan Nayar (*Secretary to Government*).—I second the amendment.

Mr. A. V. Moothedan (*Chalakuḍi*).—Sir, I oppose this motion. In the Chief Court decisions to which the Hon'ble Member for Law referred the very same principle is incorporated. What is aimed by this amendment is that the principle enunciated in the Reports is put on the Statute. Whenever there is an irredeemable kanom, the proportion between the landlord and the tenant after settling the value of improvements and the kanom amount, is $\frac{1}{2}$ and $\frac{1}{2}$. What I say is that the principle